

**ENTERED**

June 15, 2017

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

EFRAIN ACEVEDO,

Plaintiff,

VS.

JOHNY ABRAHAM, *et al.*,

Defendants.

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CIVIL ACTION NO. 3:14-CV-183

**ORDER**

The Texas Attorney General has, at the Court's request, provided a *Martinez* report<sup>1</sup> and requested that the Court seal it. The Attorney General's motion to seal (Dkt. 15) is **GRANTED**.

The Attorney General served Acevedo with a copy of the *Martinez* report. Because the *Martinez* report contains legal arguments and refers to exhibits and matters outside the pleadings, the Court converts that report to a motion for summary judgment under Federal Rule of Civil Procedure 56 and **ORDERS** Acevedo to file any response by **July 30, 2017**. The Attorney General shall file any reply by **August 15, 2017**.

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<sup>1</sup> *Martinez v. Aaron*, 570 F.2d 317 (10th Cir. 1987); *see also Cay v. Estelle*, 789 F.2d 318, 323 & n.4 (5th Cir. 1986) (discussing the utility of a *Martinez* report).

The Clerk will provide a copy of this order to the parties and to counsel for *amicus curiae*, the Office of the Texas Attorney General.

SIGNED at Galveston, Texas, on June 15, 2017.

  
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GEORGE C. HANKS, JR.  
UNITED STATES DISTRICT JUDGE